



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed January 12, 2023


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In Re:

THE JUMBA, LLC

Debtor.

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Case No. 22-31740-sgj11

**ORDER AUTHORIZING DEBTOR TO SELL LOTS 5, 7 AND 8 WITH
BUILDER'S HOMES THEREON FREE AND CLEAR OF LIENS,
CLAIMS AND ENCUMBRANCES UNDER 11 U.S.C. § 363(b) AND (f)
WITH LIENS ATTACHING TO PROCEEDS AND REMAINING RAW
LAND**

On this day came on for consideration the *Debtor's Motion to Sell Lots 7 and 8 with Builder's Homes Thereon Free and Clear of Liens, Claims and Encumbrances Under 11 U.S.C. § 363(B) And (F) With Liens Attaching To Proceeds And Remaining Raw Land* (the "Motion") [Docket No. 51]. The Debtor's counsel has also presented a new contract for Lot 5 in Johnson County and requested that the new buyers be approved for that sale. The Court, having considered the Motion, as modified on the record, and there being no opposition by the Office of

the U.S. Trustee and C&G Realty E, LLC, (hereinafter “C&G”) finds that the relief requested therein should be granted as herein modified.

The Court finds that cause has been shown to permit these three sales outside the ordinary course as the expedited authority for these sales is reasonable under the circumstances to avoid immediate and irreparable harm to both the Debtor and consumers purchasing these homes. It is therefore:

ORDERED that the Debtor is authorized to proceed with sales of the homes, and lots described herein of approximately ten acres each, but no more than 11 acres each, surrounding the existing construction described in open Court as Lots 5, 7 and 8 on property described as CR 401-C, Alvarado TX 76009 being a part of the Johnson County Property [Legal Description on Ex. A hereto], free and clear of liens, with the C&G lien attaching to the net proceeds in addition to the remaining raw land until the entire secured claim of C&G is paid. It is further

ORDERED that at the time of the closing of each property the net sales proceeds, in at least the following sums, shall be remitted by the escrow agent, out of Seller’s proceeds to C&G as each closing occurs, which are to be promptly applied to the secured claim of C&G:

4162 CR 401-C, Alvarado, TX, Lot #5
Estimated Net: \$446,552.00,

4130 CR 401-C, Alvarado, TX, Lot #7
Estimated Net: \$438,060.00, and

4160 CR 401-C, Alvarado, TX, Lot #8
Estimated Net: \$425,210.00.

It is further ordered that

ORDERED this order is immediately effective and the Bankruptcy Rule 6004(h) stay is waived. It is further

ORDERED that the Debtor is authorized to proceed with sales of the three (3) constructed

homes on Lots 5, 7 and 8 on its Johnson County Property, free and clear of liens with the net sales proceeds going to C&G Realty E, LLC, and no seller's real estate commission.

ORDERED that, as requested by C&G, if the closings have not occurred within 60 days, then the Debtor must either have C&G Realty E, LLC approve any sale that would occur after 60 days at these minimum amounts or the Debtor needs to get a new court order if C&G Realty E, LLC does not approve.

END OF ORDER

Order Submitted by:
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